

Translation

PATENT COOPERATION TREATY

PCT/FR2003/003471



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CFE030158/JMG	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/003471	International filing date (day/month/year) 24 novembre 2003 (24.11.2003)	Priority date (day/month/year) 19 décembre 2002 (19.12.2002)
International Patent Classification (IPC) or national classification and IPC B29C 49/58		
Applicant SIDEL		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u> </u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 04 juin 2004 (04.06.2004)	Date of completion of this report 22 March 2005 (22.03.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/003471

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 pages _____ 1-15 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____ 1-11 _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the drawings:
 pages _____ 1/5-5/5 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR 03/03471

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following document:

D1: DE 100 63 553 A

1. The application relates to a blow moulding or stretch-blow moulding assembly for producing containers from parisons made of a thermoplastic polymer.
2. Document D1, which is considered to be the prior art closest to the subject matter of claim 1, describes:
 - a blow moulding assembly for producing containers from parisons made of a thermoplastic polymer (see figure 1), wherein
 - said assembly comprises a bell-type blow moulding nozzle for blowing a pressurised liquid into a parison in a mould cavity (see figure 1, feature 5), and
 - said nozzle has a bell-shaped end sealingly frontally engageable, during blow moulding, with a mould wall in such a way that it covers the parison neck extending out of said wall which it engages via a ring-shaped flange, whereas the body thereof is

inserted into said mould cavity (see figure 1).

3. The subject matter of claim 1 differs from document D1 in that the assembly comprises means for joining together the nozzle and said mould wall by mutual releasable attraction, which means can be actuated once the nozzle has been frontally contacted with said mould wall without compressing a seal, whereby the nozzle and said wall can be pulled together with an attractive force stronger than the repulsive force caused by the pressure of the blowing fluid.

The technical effect resulting from these features is that the nozzle and the mould wall are joined together by mutual attraction.

4. The problem that the present invention is intended to solve can thus be considered to be that of enhancing the quality of the seal between the nozzle and the mould wall.

The solution to this problem is described in the characterising part of claim 1 of the present application.

5. The solution to said problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)), for the following reasons:

Document D1 does not mention or suggest in any way how the nozzle and the mould wall can be joined together by mutual attraction. In this document, no part of the mould is actively involved in sealing. Sealing is achieved solely by means of the pressure

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/FR 03/03471

of the nozzle on the mould.

6. Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)) and involves an inventive step (PCT Article 33(3)).
7. Claims 2 to 11 are dependent on claim 1 and thus also comply, as such, with the requirements of novelty and inventive step of the PCT.
8. Claims 1 to 11 also comply with the requirements of industrial applicability (PCT Article 33(4)).
9. Contrary to the requirement of PCT Rule 5.1(a)(ii), the relevant prior art disclosed in document D1 has not been indicated in the description, nor has this document been cited.